

## **MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT**

In accordance with the Americans with Disabilities Act the following services are available to members of our community who require special assistance to participate in City Council and Redevelopment Agency meetings. If you require, American Sign Language interpreters, a reader during the meeting, and/or large print agendas, to make arrangements, please call: **Office of the City Clerk (714) 536-5227**.

To make arrangements for an assisted listening system (ALD) for the hearing impaired, please contact: the **Sergeant at Arms (714) 536-5693** or the **City Clerk (714) 536-5227**.

*72 hours prior notification will enable the city to make reasonable arrangements to ensure accessibility to a meeting.*

## **ACTION AGENDA**

**CITY COUNCIL/REDEVELOPMENT AGENCY  
CITY OF HUNTINGTON BEACH**

**MONDAY, APRIL 7, 2003**

5:00 P.M. - Room B-8  
7:00 P.M. - Council Chambers  
Civic Center, 2000 Main Street  
Huntington Beach, California 92648

### **5:00 P.M. - Room B-8**

#### **Call City Council/Redevelopment Agency Meeting to Order**

**Roll Call:** Coerper, Green, Boardman, Cook, Houchen, Hardy (Councilmember Sullivan has requested permission to be absent from the meeting pursuant to Resolution No. 2001-54.)

***Present (Cook arrived at 5:35 p.m., Sullivan absent)***

#### **Pursuant to the Brown Act (Open Meetings Act) the City Clerk Announces Late Communications Received by Her Office Which Pertain to Items on the Agenda**

(1) Copies of late communications submitted by City Councilmembers or City Departments are available for the public at the City Clerk's desk. (2) Late communications submitted by members of the public will be made available to the public at the City Clerk's Office the morning after the Council meeting.

***Study Session No. 2 – PowerPoint presentation titled DTSC Presentation to H. B. City Council Study Session Fieldstone Property & Residential Area.***

#### **Public Comments Regarding 5:00 P.M. Portion of Council Meeting (See Next Page for Two Study Sessions and Closed Session Agenda Items)**

- 1. Speaker spoke regarding dumpsite and PCB contamination.***
- 2. Speaker inquired if entire Fieldstone Property is to be checked for PCB.***
- 3. Speaker informed Council real soil samples should be checked and methane issue which he believes is severe.***
- 4. Speaker stated he is a nearby resident affected by the PCB Contamination and urged Council that dangerous toxics be removed as the only acceptable form of remediation.***

**COMPUTER INTERNET ACCESS TO CITY COUNCIL/REDEVELOPMENT AGENCY  
AGENDA IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS**

***<http://www.surfcity-hb.org>***

**(City Council) – Council Meeting Study Session # 1 – Presentation by the Administrative Services Department’s Finance Division and City Auditors, Caporicci & Larson, Certified Public Accountants of the Fiscal Year 2001/2002 Comprehensive Annual Financial Audit Report ( . )**

The Director of Administrative Services, Finance Officer, and Auditors, Caporicci & Larson, CPA will provide a review of the city's fiscal year 2001/2002 Comprehensive Annual Financial Audit Report (CAFR).

**\*\*Communication from Administrative Services titled *Comprehensive Annual Financial Report for the Year Ending September 30, 2002* is included in the agenda packet.**

**\*\*Powerpoint presentation titled *Fiscal Year 2001/2002 Comprehensive Annual Financial Report (CAFR)* is included in the agenda packet.**

***Administrative Services Director and Finance Director reported: “The City received an “Unqualified” opinion – the highest possible mark. City ended FY 2001/2002 with an undesignated, unreserved fund balance of \$3.78 million” – Department will answer further Council questions and clarify items in CAFR. Recommendations made by Council for future CAFR’s.***

**(City Council) Council Meeting Study Session #2 – Presentation by the Fire Department of an Overview by the Department of Toxic Substances Control (DTSC) – Includes a Report on Health and Safety Issues and Current Action Plan for Remediation Re: PCB Contamination Found Inside the Bolsa Chica Area and Impacted Residential Areas Near the End of Graham on the Fieldstone Property (Impacting the Residential Area in the Bolsa Chica near Graham Street) ( . )**

Acting Fire Chief Duane Olson will introduce Tom Cota, Branch Chief, and representatives from the Department of Toxic Substances Control (DTSC) who will present an overview of the issues associated with the Polychlorinated Biphenyl (PCB) contamination found in the Fieldstone property inside the Bolsa Chica area and impacted residential properties in Huntington Beach near the end of Graham Street. The report will include a plot plan of the project scope, relevant data on the PCB health threat, and the current action plan for remediation.

***Late Communication announced by Acting Fire Chief Duane Olson of a PowerPoint presentation titled *DTSC Presentation to H. B. City Council Study Session - Fieldstone Property & Residential Area*. Greg Holmes, DTSC representative, reported on the PowerPoint Late Communication. Future activities announced, including: risk assessment, determination for remediation/cleanup and public notice for community input of an acceptable work plan. No immediate time line reported – June 2003 estimated. Council requested mailers to residents. Cautionary measures provided to residents discussed.***

**Call Closed Session of City Council/Redevelopment Agency**

**Recommended Action:** Motion to recess to Closed Session on the following items:

***Approved 6-0-1 (Sullivan absent)***

1. **(City Council) Closed Session** – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation, which has been initiated formally and to which the agency is a party. The title of the litigation is **Mills Land & Water Company v. City of Huntington Beach, et al.**, Court of Appeal Case No. G020490, Orange County Superior Court Case No. 739412 (“Mills I”); **Mills Land & Water Company v. City of Huntington Beach, et al.**; Orange County Superior Court Case No. 763624 (“Mills II”). Subject: **Mills Land & Water Company v. City** (120.80)
2. **City Council) Closed Session** – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the city is a party. The title of the litigation is **Edward Resek v. City of Huntington Beach, et al.**; U. S. District Court Case No. CV 99-09909. Subject: **Resek v. City of Huntington Beach, et al.** (120.80)
3. **City Council) Closed Session** – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the city is a party. The title of the litigation is **Barbara Lawrence and Earl Lawrence v. City of Huntington Beach**, U. S. District Court Case No. CV 99-09909. Subject: **Barbara Lawrence and Earl Lawrence v. City of Huntington Beach.** (120.80)
4. **(City Council) Closed Session** – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation, which has been initiated formally and to which the agency is a party. The title of the litigation is **Marie Hansen v. City of Huntington Beach, et al.**, Orange County Superior Court Case No. 02CC11272. Subject: **Marie Hansen v. City of Huntington Beach, et al.** (120.80)
5. **City Council) Closed Session** – Pursuant to Government Code Section 54956.9(c) to confer with its city attorney regarding pending litigation. Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation. Number of Potential Cases: One to 200. Subject: **Potential Litigation** (120.80)
6. **(Redevelopment Agency) Closed Session** – Pursuant to Government Code Section 54956.8 to give instructions to the Agency’s Negotiators, **Ray Silver and David Biggs**, regarding negotiations with **John Given and CIM Group, LLC**. The instructions concern an implementation agreement regarding the terms and conditions for the purchase of the property located at **Blocks 104 & 105** (Bounded by PCH, Main Street, Walnut Avenue and 6<sup>th</sup> Street). Instruction will concern: Both price and terms of payment. Subject: **Real Property Negotiation Blocks 104 & 105, an area bounded by PCH. Walnut, Main & 6<sup>th</sup> Street in the City of Huntington Beach** (400.50)

The City Council and the Redevelopment Agency of the City of Huntington Beach will regularly convene in joint session for the purpose of considering the following City Council-Redevelopment Agency Agenda Items.

The Huntington Beach Parking Authority, Civic Improvement Corporation, and the Huntington Beach Public Financing Authority are also agencies on which Council serves as members.

On each Agenda these Agencies may have items scheduled.

When an Agenda Item requires action by any of these Agencies, it will show in parenthesis preceding the item, for example (City Council-Redevelopment Agency).

#### **7:00 P.M. - Council Chambers**

#### **Reconvene City Council/Redevelopment Agency Meeting**

- \*\* The City Attorney Shall Determine If Any Actions Taken By The City Council or Redevelopment Agency In Closed Session Shall Require A Reporting On Those Actions As Required By Law (Government Code §54957.1(a) (3) (B)).**

***City Attorney McGrath reported out Action on Closed Session #4, 6-0-1 Sullivan absent. Filed cross-complaint against Council on Aging & ESI for indemnification and declaratory relief.***

**Roll Call** Coerper, Green, Boardman, Cook, Houchen, Hardy (Councilmember Sullivan has requested permission to be absent from the meeting pursuant to Resolution No. 2001-54.)

***Present (Sullivan absent)***

**Pledge of Allegiance** - Brownie Troop 821 St. Simon & Jude. Pat Illencik, Leader.

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***City Clerk announced Late Communications Re: Study Session Item No. 2; G-2a; and H-1b.***

**Presentation** - By Mayor Connie Boardman, Certificates to AYSO (American Youth Soccer Organization) Region 117 Under 10 Boys' Team, the Golden Eagles team that placed second in the AYSO sectional playoffs for the Southern California Championships. Coaches are Marissa and Issa Demes; Team Mom is Teresa Clouse. (160.40)

**Presentation** - To Mayor Connie Boardman and the City Council by Jannette Johnson Teacher, and her fourth and fifth grade classes from Oka Elementary School, Huntington Beach. Students Brianna Webster, Charles Daily and Dib Ammar will speak about their school project, *Project Ocean Pollution Solution* also known as *Operation O.P.S.* The class received a \$400 grant from the Blue Planet Foundation to support their field trips. This whole endeavor is to create a scrapbook-like project to enter into the Jiminy Cricket Environmentality Challenge. (160.40)  
***Student Kevin Callahan also presented.***

**B. PUBLIC COMMENTS**

Hello and welcome to the Huntington Beach City Council meeting.

If you would like to address the Council please fill out the pink public comment sheet attached to this agenda. After completing the form, hand it to the Sergeant at Arms and he will give it to the City Clerk. Council members strive to treat members of the public with respect and we ask that you also express your concerns and opinions in a civil and respectful manner.

Due to the Brown (Open Meeting) Act, the City Council may not discuss items unless they are on our agenda. So if you are speaking on an item not on the agenda, we cannot discuss the issue with you at this meeting. However, if you wish to meet with any of us please call the Council's Secretary at 714-536-5553. Thank you for taking the time to come to the council meeting to address the council.

**This is the time to address Council regarding items of interest or on agenda items OTHER than Public Hearings.**

3 minutes per person, time may not be donated to others.  
No action can be taken by Council/Agency on this date unless agendized.

Complete the attached pink form and give to the Sergeant-At-Arms located near the speaker's podium

1. *Speaker re: Yellow Ribbon America informed Council that stickers and yellow ribbons are available. He urged all to participate to let our service members know our support and that their return home is much awaited.*
2. *American Legion representative spoke in support of Agenda Item H-1b. He displayed the Blue Star Flags. He stated the American Legion has a website with phone numbers and also call Mickey Pitre – American Legion at (714) 846-9202.*
3. *Speaker gave Invocation due to the absence of Invocation from the Agenda.*
4. *Speaker re: ordinance that will be on next agenda regarding motorized wheelchairs and spoke in opposition to existing ordinance.*
5. *Speaker representing O. C. Assoc. for Education of Young Children requested a Councilmember or Children Needs Task Force member or a city staff member attend the upcoming Child Care City to City Forum.*
6. *Speaker requested all to attend the public hearing on April 10<sup>th</sup> for the Ocean View District Advisory Commission.*
7. *Speaker representing H.B. Human Relations Task Force spoke re: the organizations work to combat Hate Crimes.*
8. *Speaker whose son is in the Marine Corps. thanked Council for their support. She announced there is a support group called Military Families Unite at the First Christian Church and wished all to attend.*

**C-1. Council Committee/Council Liaison Reports**

*Councilmember Houchen reported on AB1221 which would promote greater fiscal fairness for cities.*

*Councilmember Coerper thanked Assistant City Administrator for assisting in getting yellow ribbon program started.*

**C-2. City Administrator's Report**

*City Administrator highlighted agenda Item-E9 regarding the Beach Outlet Storm Water Treatment Project.*

**D. PUBLIC HEARINGS**

Anyone wishing to speak on an OPEN public hearing is requested to complete the attached pink form and give it to the Sergeant-at-Arms located near the Speaker's Podium.

**D-1. (City Council/Redevelopment Agency) Joint Public Hearing to Consider Sale to LGB Investments, LP, of Agency Owned Property – 438 Main Street (Main Pier Redevelopment Project Sub-Area) – Adopt Resolution No. 2003-24 and Agency Resolution No. 344 ( . )**

Joint public hearing to consider the sale of 438 Main Street, a commercial two-story office building consisting of approximately 4,250 square feet on a 5,750 square feet parcel, (Assessor's Parcel Number 24-134-02). The property is located in the Huntington Beach Redevelopment Project Area, specifically in the Main-Pier sub-area.

As required by California Redevelopment Law (Section 33433), a report on the sale is available for public inspection in the City Clerk's Office and in the Department of Economic Development. The report summarizes the costs of the sale agreement, the estimated value of the interest to be conveyed to LGB Investments, LP as determined at the highest and best uses permitted under the Redevelopment Plan, the estimated value of the interest to be conveyed and the purchase price of \$950,000. Interested persons may inspect and, upon payment of the costs of reproduction, obtain copies of the 33433 Report and sale documents.

At any time not later than the hour set forth above for the hearing, comments on the proposed sale may be submitted in writing to the City/Agency Clerk.

1. Staff report
2. City Council discussion
3. Open public hearing
4. Following public input, close public hearing

**\*\*Powerpoint presentation titled *Sale of 438 Main Street* is included in the agenda packet.**

**Recommended Action:**

**City Council Action:** Motion to: Adopt **Resolution No. 2003-24** – “A Resolution of the City Council of the City of Huntington Beach Approving the Sale of Property Located within the Huntington Beach Redevelopment Project Area.”

**Adopted 5-0-1-1 (Sullivan absent, Houchen Abstain)**

**Redevelopment Agency Action:** Motion to: Adopt Agency **Resolution No. 344** – “A Resolution of the Redevelopment Agency of the City of Huntington Beach Approving the Sale of Property Located within the Huntington Beach Redevelopment Project Area” and authorize the Mayor/Agency Chairperson and the City/Agency Clerk to execute the Standard Offer, agreement and Escrow Instructions with LGB Investments, a limited partnership in the amount of \$950,000.

**Councilmember Houchen recused herself from the meeting as she has a property listing across the street from this property.**

**Economic Development/Deputy Executive Director reported on PowerPoint presentation.**

**Adopted 5-0-1-1 (Sullivan absent, Houchen Abstain)**

### **E. CONSENT CALENDAR**

All matters listed on the Consent Calendar are considered by the City Council and Redevelopment Agency to be routine and will be enacted by one motion in the form listed.

**Recommended Action:** Approve all items on the Consent Calendar by affirmative roll call vote.

- E-1. (City Council/Redevelopment Agency) Minutes** - Approve and adopt the minutes of the City Council Regular meeting of January 21, 2003 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.  
***Approved and Adopted 6-0-1 (Sullivan absent)***
- E-2. (City Council) Adopt Resolution No. 2003-23 Approving Side Letter of Agreement to the Fiscal Year 2002/2003 Memorandum of Understanding (MOU) between the City and Miscellaneous (Non-Safety and Non-Associated) Members of the Police Officers' Association (POA) - California Public Employees' Retirement System (CalPERS)** ( . ) – Adopt **Resolution No. 2003-23** - "A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding between the City and the Huntington Beach Police Officers' Association, by Adopting the Side Letter of Agreement." Submitted by the Administrative Services Director. Funding Source: Due to excess assets in the City's miscellaneous retirement plan, no employer's contribution is required this fiscal year. (See staff report in the agenda packet for more detail.)  
***Assistant City Administrator stated that this side letter covers the non-sworn officers. Adopted 6-0-1 (Sullivan absent)***
- E-3. (City Council) Receive and File the 2002 Mobile Home Advisory Board (MHAB) Annual Summary Report** ( . ) – Receive and file the *Mobile Home Advisory Board (MHAB) 2002 Summary Report.* Submitted by the Economic Development Director. Funding Source: Not applicable.  
***Approved 6-0-1 (Sullivan absent)***
- E-4. City Council) Receive and File the Huntington Beach City Charter as Codified to Include Measures EE: Property Rights Protection Measure and Measure FF: Creation of Infrastructure Fund; Adopted by the Voters at the March 5, 2002 Special Municipal Election (and Approve Correction of 1982 Typographical Error in Charter Section 700** ( . ) - 1. Receive and file the codified City Charter of the City of Huntington Beach, as revised by the inclusion of Measure **EE: Property Rights Protection Measure** and **Measure FF: Creation of Infrastructure Fund** approved by the voters at the Special Municipal Election of March 5, 2002; and 2. Approve the correction of the typographical error made when codifying Section 700 into the City Charter following the November 2, 1982 Municipal Election as follows: **City Charter Section 700 should be corrected to read: Section 700. GENERAL MUNICIPAL ELECTIONS.** General municipal elections shall be held in the city on the first Tuesday *after the first Monday* in November in each even-numbered year. **City Charter Section 700 incorrectly reads: Section 700. GENERAL MUNICIPAL ELECTIONS.** General municipal elections shall be held in the City on the first Tuesday in November in each even numbered year. Submitted by the City Clerk. Funding Source: Not applicable.  
***Approved 6-0-1 (Sullivan absent)***

- E-5. **(City Council) Accept Bid and Award Construction Contract to Elite Bobcat Service, Inc. for Speer Avenue and Liberty Avenue Street Improvement Project, CC-1142 - Oak View Neighborhood Enhancement Area (Street Widening, Curb and Gutter, Sidewalk and Landscaping)** ( . ) – 1. Accept the lowest responsive/responsible bid submitted by Elite Bobcat Service, Inc. in the amount of \$249,480 for the Speer Avenue and Liberty Avenue Street Improvement Project, CC-1142; and 2. Authorize the Mayor and City Clerk to execute a construction contract with Elite Bobcat Service, Inc. in substantially the same form as the attached sample construction contract. Submitted by the Economic Development Director and the Public Works Director. Funding Source: CDBG Fiscal Year 1999-2000, Street Improvements Account and Measure M, Miscellaneous Streets Account.  
***Approved 6-0-1 (Sullivan absent)***
- E-6. **(City Council) Accept Huntington Beach Grammar School Grant Deed for the State Funded Safe Routes to School, Second Cycle Project, CC-1210 for Design and Construction of Street Improvements and Signal Poles e/o 17th Street and Palm Avenue** ( . ) – Authorize the City Clerk to accept, record and file the Huntington Beach Grammar School District *Grant Deed*. Submitted by the Public Works Director. Funding Source: Not required.  
***Approved 6-0-1 (Sullivan absent)***
- E-7. **(City Council) Approve Special Utility Easement Agreements and Authorize Public Works Director to Execute Re: Pipeline Repairs, Replacement and Surface Uses for All Applicable Future Developments** ( . ) - Authorize the Director of Public Works to execute Special Utility Easement Agreements for all applicable future developments, in substantially the same form as the attached agreement, which has been approved as to form by the Office of the City Attorney. Submitted by the Public Works Director. Funding Source: Not applicable.  
***Approved 6-0-1 (Sullivan absent)***
- E-8. **(City Council) Approve Correction Per Reimbursement Agreement to Transfer Funds into Planning Department Account for Payment of Environmental Impact Report (EIR) Prepared by RBF Consulting Relative to Poseidon Resources Corporation Seawater Desalination Plant Proposed on AES, Huntington Beach Property at Pacific Coast Highway and Newland Street** ( . ) – Authorize the Director of Administrative Services to appropriate funds in the amount of \$51,173 from the City's General Fund Unappropriated Fund Balances into the Planning Department's Contractual Services Account Number 10060201.69365. Submitted by the Planning Director.  
***Approved 6-0-1 (Sullivan absent)***
- E-9. **(City Council) Approve Plans and Specifications and Authorize Advertisement of Bids for the Beach Outlet Storm Water Treatment Project, CC-1179** ( . ) – Approve the project plans and specifications and authorize the Director of Public Works to request bids for Beach Outlet Storm Water Treatment Project, CC-1179. Submitted by the Public Works Director. Funding Source: Proposition 13, 2000 Water Bond Act Grant. Engineer's cost estimate - \$1,000,000.  
***Approved 6-0-1 (Sullivan absent)***



- E-10. (City Council) Approve Plans and Specifications and Authorize Advertisement of Construction Bids for Public Improvements (Repair or Replacement of Sidewalks, Curbs and Gutters) on Nantucket Drive, MSC-419 ( . )** – Approve the project plans and specifications and authorize the Director of Public Works to request construction bids for the repair or replacement of sidewalks, curbs and gutters on Nantucket Drive. Submitted by the Public Works Director. Funding Source: Measure M Funds, Street Improvements Account - \$200,000.  
**Approved 6-0-1 (Sullivan absent)**

- E-11. (City Council) Approve City Council Positions on Legislation Pending Before the Federal and State Governments and the Orange County Board of Supervisors as Recommended by the City Council Intergovernmental Relations Committee ( . )** The City Council Intergovernmental Relations Committee has reviewed the legislation, requests for support letters, and federal funding agenda below and is recommending that the City Council take a position on these Assembly and Senate Bills and other items, and authorize the Mayor to send letters to the legislators reflecting the approved position:
1. OPPOSE - **AB 572 (2003-2004) Yee** – Employment - Undisputable presumption that a discharge of an employee within 90 days of an action by that employee is retaliatory.
  2. OPPOSE **AB 1324 (2003-2004) Steinberg** - Workers' compensation: infectious diseases: adds dependents of the employee to those to be compensated.
  3. SUPPORT **SB 414 (2003-2004) McClintock and Poochigian** - Workers' compensation: injuries adding the requirement that a physician must certify that the injury arises as a result of and in the course of employment.
  4. OPPOSE - **AB 136 (2003-2004) Kehoe** - Workers' compensation – Disability provides that a firefighter is entitled to a disability leave of absence with pay for up to two years. (Current law is one year.)
  5. SUPPORT **AB 427 (2003-2004) Longville** - Local transportation sales taxes – Deletes the 20-year limit on the existing local transportation sales tax.
  6. SUPPORT - **AB 498 (2003-2004) Canciamilla** - State government: prudent state reserve placing a requirement on the state for a prudent reserve.
  7. SUPPORT - **AB 608 (2003-2004) Daucher** - State regulations: appeal providing a procedure for cities and counties to challenge the imposition of regulation by state agencies.
  8. SUPPORT - **AB 637 (2003-2004) Harman** - State-mandated local programs providing for a (non-voting) local representative on the State Mandates Commission and easing the requirements for reimbursement.
  9. SUPPORT - **AB 694 (2003-2004) Levine** - Use tax: vehicles, vessels, and aircraft eliminating an exemption from sales tax for vehicles, vessels, and aircraft when purchased outside the state and that remain outside the state for 90 days.
  10. OPPOSE UNLESS AMENDED removing language regarding no reimbursement to local agencies regarding lost revenue - **AB 783 (2003-2004), Maddox and Mountjoy** - Property taxation: welfare exemption: course of construction
  11. OPPOSE UNLESS AMENDED removing language regarding no reimbursement to local agencies regarding lost revenue - **AB 1073 (2003-2004), Dutton** - Sales and use taxes: exemptions: nonprescription drugs
  12. SUPPORT **ACA 11 (2003-2004) Levine** - Local government: general obligation bonds: infrastructure projects allowing passage of infrastructure bonds with approval of 55% of the voters.
  13. SUPPORT - **SB 17 (2003-2004) Escutia** - Property taxation: change in ownership allowing the State to specify those circumstances under which a non-residential, commercial or industrial, property changes owners.
  14. OPPOSE - **SB 407 (2003-2004) Torlakson** - Local government financing requiring that revenues from the Motor Vehicle License Fee account be allocated to cities and counties on a quarterly rather than a monthly basis.

15. OPPOSE UNLESS AMENDED removing language regarding no reimbursement to local agencies regarding lost revenue - **SB 764 (2003-2004) Morrow** - Property tax: veterans' exemptions which stipulates that property tax veterans' exemptions are NOT a state mandate and therefore not reimbursable to cities and counties.
16. SUPPORT - **SBX1 3 (2003-2004) Escutia** - Property taxation: change in ownership
17. SUPPORT - **SCA 9 (2003-2004) Perata** - Appropriations limits: allowing an exception to the State's appropriation limitation in case of a natural disaster.

Submitted by Councilmember Jill Hardy, Chairperson, Intergovernmental Relations Committee on behalf of Mayor Connie Boardman and Councilmember Debbie Cook. Funding Source: Not applicable.

***Assistant City Administrator reported relative to Mayor Pro Tem Green's question relative as to whether employees and City had discussed the pending legislation. Council directed staff to place league, staff and legislators positions and to make this as an Administrative Item on future agendas as well as provide update on progress of the bills.***

**#1 – AB572**

***Approved 6-0-1 (Sullivan absent)***

**#2 – AB1324**

***Motion Failed by Tie Vote 3-3-1 (Houchen, Green, Coerper, No, Sullivan absent)***

**#3 – SB414**

***Approved 6-0-1 (Sullivan absent)***

**#4 – AB136**

***Motion Failed by Tie Vote 3-3-1 (Houchen, Green, Coerper, No, Sullivan absent)***

***Remainder of Consent Calendar Items Number 5-17 - Approved 6-0-1 (Sullivan absent)***

- E-12 (City Council) Approve the Professional Services Contract between the City and Intergraph Public Safety Inc. for a Police Computer Aided Dispatch/Records Management System (CAD/RMS) ( . ) – 1.** Approve and authorize the Mayor and City Clerk to execute the *Professional Services Contract between the City of Huntington Beach and Intergraph Public Safety, Inc.*; and **2.** Authorize the City Treasurer to release escrow funds from Union Bank payable to Intergraph Public Safety and authorize the Police Chief to approve the expenditure of the grant funds; and **3.** Assign the Police Department's Systems Group Manager as Project Manager and require signatures of both the Project Manager and the City's Information Services Director authorization to approve Acceptance Testing; Change Orders; Notifications; Systems Sign-off; Release of Funds and Progress Payments per contract schedule; and **4.** Authorize the Police Department's Systems Group Manager to upgrade Uninterruptible Power Supply in a joint project with the City's Information Systems Department and enter into a service agreement with Anderson & Howard Electric to redistribute electrical power in Communications, the Computer and EOC (Emergency Operations Center) rooms and install additional emergency generator supply service; and **5.** Approve hiring a part-time, temporary GIS intern not to exceed 1,000 hours during the course of the project that will be funded within total project to provide data elements for mapping. Submitted by the Assistant City Administrator, the Chief of Police and the City Treasurer. Funding Source: Union Bank Escrow Account (Grant Funded); two SLESF Grants (Supplemental Law Enforcement Service Fund) (Fiscal Years 2001/02 and 2002/03); two LLEBG Grants (Local Law Enforcement Block Grants) (Fiscal Years 1999/00 and 2000/01); and Holly Seacliff Development Fees Account for a grand total of \$2,716,733.
- The Assistant City Administrator and Police Chief reported.***
- Approved 6-0-1 (Sullivan absent)***

**F. Administrative Item****F-1. (City Council) Approve the Non-Exclusive License Agreement between the City and the Children's Bureau of Southern California for the Operation of the Oak View Center Effective May 1, 2003 by Children's Bureau Staff with Oversight Provided by the Community Services Department ( . )**

Communication from the Community Services Director, the Economic Development Director and the Special Projects Manager requesting Council approval for the city to enter into a Non-Exclusive License Agreement with the Children's Bureau of Southern California for the operation of the Oak View Center.

**Recommended Action:** Motion to:

Approve the *Non-Exclusive License Agreement between the City of Huntington Beach and Children's Bureau of Southern California.*

***Janeen Laudenback, Acting Superintendent of Community Services – Recreation Human & Cultural Services presented the PowerPoint report.  
Approved 6-0-1 (Sullivan absent)***

**G. Ordinances****G-1. Ordinances for Adoption**

- G-1a. (City Council) Adopt Ordinance No. 3601 Amending the Contract with the California Public Employee's Retirement System (CalPERS) to Provide (1.) Section 21548 Pre-Retirement Optional Settlement 2 Death Benefit and (2.) Section 21574 (Fourth Level of 1959 Survivors' Benefits) for Local Miscellaneous Members - the Municipal Employees' Association (MEA) and Management Employees' Organization (MEO) ( . ) Ordinance No. 3601 – "An Ordinance of the City of Huntington Beach Authorizing an Amendment to the Contract Between the City Council and the Board of Administration of the California Public Employees' Retirement System Regarding the Provision of Pre-Retirement Optional Settlement 2 Death Benefits and Fourth Level of 1959 Survivor Benefits For Local Miscellaneous Members."** (Introduction approved 3/3/03.)

**Recommended Action:** After City Clerk reads by title, adopt **Ordinance No. 3601** by roll call vote.

***Adopted 6-0-1 (Sullivan absent)***

- G-1b. (City Council) Adopt Ordinance No. 3602 Amending Chapter 10.84 of the Huntington Beach Municipal Code Relating to Bicycle Regulations (640.10) Ordinance No. 3602 – "An Ordinance of the City of Huntington Beach Amending Chapter 10.84 of the Huntington Beach Municipal Code Relating to Bicycle Regulations."** (Introduction approved 3/17/03.)

**Recommended Action:** After City Clerk reads by title, adopt **Ordinance No. 3602** by roll call vote.

***Adopted 6-0-1 (Sullivan absent)***

**G-2. Ordinance for Introduction**

- G-2a. (City Council) Approve for Introduction Ordinance No. 3603 Amending Title 5 of the Huntington Beach Municipal Code Relating to Business Licenses and Regulations (No Proposition 218 Vote Required on Changes) ( . ) Ordinance No. 3603 – "An Ordinance of the City of Huntington Beach Amending Title 5 of the Huntington Beach Municipal Code Relating to Business Licenses and Regulations."** (The City Treasurer's staff report included in the agenda packet sets forth that these amendments to Title 5 of the Business License ordinance do not trigger a Proposition 218 vote, and further sets forth that said changes do not increase the amount of any taxes currently identified in the ordinance.)

**Recommended Action:** After City Clerk reads by title, approve for introduction **Ordinance No. 3603** by roll call vote.

***Removed from Agenda to return next meeting – 04/21/03.***

**H. City Council/Redevelopment Agency Items****H-1a. Submitted by Mayor Connie Boardman****(City Council) Implement the Blue Star Program Participating to Support Armed Forces Personnel Serving the United States in the War with Iraq ( . )**

Communication from Mayor Connie Boardman transmitting the following **Statement of Issue**: On Thursday, March 20, 2003, the United States entered into war with Iraq. Regardless of our opinions about this war, I believe we need to support the young men and women who are risking their lives during the war. The purpose of this H-Item is to show support for these young people and their families by implementing the "Blue Star" program. Under this program, Huntington Beach families with members serving in the Armed Forces receive a Blue Star poster to display in their window as a visible sign of their sacrifice and service. The program was originally used during World War I and II, but was later discontinued.

Assemblyman Dennis Mountjoy, Fifty-Ninth District, California State Legislature, has been encouraging all Californian cities to participate in the program as a salute to our service men and women. The city of Monrovia has already implemented a program.

A sample of the poster is attached for your review. I propose that the City print the posters which will be made available free of charge through the City Administrator's Office.

**Recommended Action**: Motion to:

Approve the City's participation in this program and authorize printing of the posters for distribution to Huntington Beach families with family members serving in the Armed Forces.

***Approved 6-0-1 (Sullivan absent)***

**H-1b. Submitted by Mayor Connie Boardman****(City Council) Authorize Mayor to Send a Letter on Behalf of the City to the State Coastal Conservancy Chair in Support of Funding Requested by the Huntington Beach Wetlands Conservancy for a Grant for the Acquisition of 46 Acres at the Huntington Beach Wetlands ( . )**

Communication from Mayor Connie Boardman transmitting the following **Statement of Issue**: The Huntington Beach Wetlands Conservancy has applied for a grant from the State Coastal Conservancy for the acquisition of 46 acres at the Huntington Beach Wetlands. Acquisition of this property will create the potential to establish over 180 acres of restored salt marsh and coastal dune habitat. I have been requested by the Conservancy to send a Letter of Support from the City.

**Recommended Action**: Motion to:

Authorize the Mayor to send a letter on behalf of the city to Mr. Paul Morabito, Chair of the Coastal Conservancy, in support of the funding request by the Huntington Beach Wetlands Conservancy.

***Approved 6-0-1 (Sullivan absent)***

**Council Comments - (Not Agendized)**

At this time Councilmembers may report on items not specifically described on the agenda which are of interest to the community. No action or discussion may be taken except to provide staff direction to report back or to place the item on a future agenda.

***Councilmember Jill Hardy thanked the city staff for submitting the agenda items timely.***

**Council/Agency Adjournment** to Monday, April 21, 2003, at 5:00 p.m., in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.

Council/Agency Agendas and Minutes are Available at No Charge to the Public at the City Clerk's Office by Mail and Through Paid Subscription. Complete Agenda Packets are Available at the Central Library and Library Annexes on Friday Prior to Meetings. Video Tapes of Council Meetings are Available for Checkout at the Central Library at No Charge.

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